

CRIMINAL/FELONY CONVICTION REINSTATEMENT

Below are offenses for which the courts are to confiscate driver licenses/instruction permits and the Department of Licensing will suspend, revoke and/or disqualify driving privileges upon notice of conviction. Also shown is the RCW, length of the action, whether or not an occupational driver license (ODL) might be issued and the requirement for reinstatement. If an individual is suspended for more than one reason, he/she must comply with the requirements for each reason before his/her driving privilege can be reinstated or a valid license issued.

	OFFENSE	RCW	LENGTH	ODL	REINSTATEMENT REQUIREMENTS
Pre 1994 law	DUI and Physical Control Convictions: DUI or Physical Control - 1st conviction - violation prior to 7-1-94	46.61.502, 46.61.504	90 days or age 19, whichever is longer	Yes	<p>Alcohol/drug assessment by an approved agency; Satisfactory completion of alcohol/drug information school or the first 60 days of the prescribed treatment program ****; Proof of financial responsibility (SR-22) Insurance Certificate; \$150.00 reissue fee; Knowledge and driving examinations required when length of action is 365 days or longer</p> <p>Notes: RCW 46.20.720 (effective 1-1-1999) indicates that if a person is convicted of DUI or Physical Control, the court shall order that after a period of suspension, revocation or denial of driving privileges, the person may drive only a motor vehicle equipped with an ignition interlock or other biological or technical device. Upon notice of the order, the department will record the requirement and set the restriction. Although the requirement is placed on the record at the time the conviction is recorded, the time period for which the device is required is calculated from the date the person is eligible to reinstate from the suspension, revocation or denial imposed as a result of the conviction.</p> <p>If the conviction date for the offense is on or after 1-1-1999, both the requirement and restriction will be placed on record regardless of when the offense occurred. If the conviction date is prior to 1-1-1999, only the restriction will be recorded.</p> <p>Receipt of an order for ignition interlock device when no conviction has occurred (ordered as a condition for initial release from jail) will be processed the same as for convictions prior to 1-1-1999.</p> <p>2nd or subsequent refusals start at the end of the administrative action for the same incident. The opposite is true if the conviction is on record before the administrative action.</p> <p>Probationary license is required under RCW 46.61.5055(7) for all DUI and Physical Control convictions.</p>
	DUI or Physical Control - 2nd conviction - violation prior to 7-1-94		365 days	No *	
	DUI or Physical Control - 3rd/sub conviction - violation prior to 7-1-94		2 years	No *	
7/94 - 8/95 law	DUI or Physical Control - 1st conviction - <0.15 BAC - violation 7-1-94 thru 8-31-95	46.61.5051	0 to 90 days	Yes	
	DUI or Physical Control - 1st conviction - >0.15 BAC or Refusal - violation 7-1-94 thru 8-31-95		120 days	Yes	
	DUI or Physical Control - with Probationary License - <0.15 BAC - violation 7-1-94 thru 8-31-95	46.61.5052	365 days	No *	
95 law effective 9/1/95	DUI or Physical Control - with Prob Lic - >0.15 BAC or Refusal - violation 7-1-94 thru 8-31-95		450 days	No *	
	DUI or Physical Control - prior conviction violation 7-1-94 thru 8-31-95	46.61.5053	2 years	No *	
	DUI or Physical Control - while suspended/revoked - violation 7-1-94 thru 8-31-95				
97 law effective 1/1/98	DUI or Physical Control/Drugs - no prior offenses - <0.15 BAC - violation 9-1-95 thru 12-31-97	46.61.5055	90 days	Yes	
	DUI or Physical Control/Drugs - no prior offenses - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97		120 days	Yes	
	DUI or Physical Control/Drugs - 2nd offense - <0.15 BAC - violation 9-1-95 thru 12-31-97		365 days	No *	
99 law effective 1/1/99	DUI or Physical Control/Drugs - 2nd offense - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97	46.61.5055	450 days	No *	
	DUI or Physical Control/Drugs - 3rd/subsequent offense - <0.15 BAC - violation 9-1-95 thru 12-31-97		2 years	No *	
	DUI or Physical Control/Drugs - 3rd/subsequent offense - >0.15 BAC or Refusal - violation 9-1-95 thru 12-31-97		3 years	No *	
2001 law effective 1/1/01	DUI or Physical Control/Drugs - no prior offenses - <0.15 BAC - violation 1-1-98 and after	46.61.5055	90 days	Yes	
	DUI or Physical Control/Drugs - no prior offenses - >0.15 BAC or Refusal - violation 1-1-98 and after		1 year	Yes	
	DUI or Physical Control/Drugs - 2nd offense - <0.15 BAC - violation 1-1-98 and after		2 years	No *	
2003 law effective 1/1/03	DUI or Physical Control/Drugs - 2nd offense - >0.15 BAC or Refusal - violation 1-1-98 and after	46.61.5055	900 days	No *	
	DUI or Physical Control/Drugs - 3rd/subsequent offense - <0.15 BAC - violation 1-1-98 and after		3 years	No *	
	DUI or Physical Control/Drugs - 3rd/subsequent offense - >0.15 BAC or Refusal - violation 1-1-98 and after		4 years	No *	

OFFENSE	RCW	LENGTH	ODL	REINSTATEMENT REQUIREMENTS
Other Convictions: DWLS/R 1st Degree - violation 7-28-91 and after	46.20.342	1 year	No	Knowledge and driving examinations; \$20.00 reissue fee; Note: The court can recommend no-extension of the suspension or revocation. If driver obtains valid driver license within 30 days of eligible date, the Department can honor the court's recommendation
DWLS/R 2nd Degree - violation 7-28-91 and after			Yes	
Driving While Revoked or Revoked/HTO - violation prior to 7-28-91			No	
Driving While Suspended - violation prior to 7-28-91		Variable	Yes	\$20.00 reissue fee
Vehicular Assault - violation 7-24-83 through 6-5-96	46.20.285	1 year	No	Alcohol/drug assessment by an approved agency - if alcohol related; Satisfactory completion of alcohol/drug information school or the first 60 days of the prescribed treatment program - if alcohol related;
Vehicular Assault - violation 6-6-96 and after		1 year after release from jail		
Vehicular Homicide - violation 7-24-83 through 6-5-96		2 years	No	Proof of financial responsibility (SR-22) Insurance Certificate;
Vehicular Homicide - violation 6-6-96 and after		2 years after release from jail		
Manslaughter or Negligent Homicide - violation prior to 7-24-83	46.61.520	1 year	No	Knowledge and driving examinations; \$150.00 reissue fee - if alcohol related
Racing or Reckless Driving (1st or 2nd conviction within 2 years)	46.61.530 46.61.500	30 days	Yes	Proof of financial responsibility (SR-22) Insurance Certificate; \$20.00 reissue fee
Racing or Reckless Driving (3rd conviction within 2 years)	46.20.285	365 days	Yes	Proof of financial responsibility (SR-22) Insurance Certificate; Knowledge and driving examinations; \$20.00 reissue fee
Eluding Police	46.61.024	365 days	Yes	Proof of financial responsibility (SR-22) Insurance Certificate Knowledge and driving examinations \$20.00 reissue fee
Hit and Run - Attended (Occupied)	46.52.020	365 days		
Felony Involving a Motor Vehicle See examples on following page of Class A, B and C felony convictions for which action is taken when a vehicle is involved.	46.20.285	1 year		
Unattended Child in Running Vehicle (2nd and subsequent offenses)	46.61.685	365 days		
Reckless Endangerment/Const. Zone	46.61.527	60 days		Proof of financial responsibility (SR-22) Insurance Certificate; \$20.00 reissue fee
Other revocations resulting from court or diversion agency intervention (conviction not recorded on drive record): Minor in Possession Alcohol and/or Drugs - 1st conviction/diversion agreement signed - age 13 through 17 for alcohol, age 13-20 for drugs at time of incident	46.20.265	1 year or age 17, whichever is longer ***	No	Knowledge and driving examinations; \$20.00 reissue fee. The law allows for early release of Minor in Possession of alcohol and/or drug revocations. Early release is at the discretion of the convicting court or diversion agency. The Department must receive a "Request for Early Reinstatement" form completed by the appropriate agency. On a 1st offense involving alcohol and/or drug, release can be 90 days after: 16th birthday, conviction or diversion agreement signed date or effective date of action, whichever is later. On a 2nd or subsequent offense release can be at age 17, one year after conviction or diversion agreement signed date or effective date of action, whichever is later.
Minor in Possession Alcohol and/or Drugs - 2nd /subsequent conviction/diversion agreement signed - age 13 through 17 for alcohol, age 13-20 for drugs at time of incident		2 years or until age 18, whichever is longer***		
Minor in Possession Firearm - 1st conviction - age 13 through 17	46.20.265	1 year or age 17, whichever is longer***	No	Knowledge and driving examinations \$20.00 reissue fee. There is no provision for early release for Minor in Possession of Firearm.
Minor in Possession Firearm - 2nd/ subsequent conviction - age 13 through 17		2 years or until age 18, whichever is longer***		
Intermediate License - 1st offense	46.20.075	Warning letter	No	\$20.00 reissue fee
Intermediate License - 2nd offense		6 months or until age 18, whichever is first		
Intermediate License - 3rd offense		Until age 18		
Theft of Motor Vehicle Fuel	46.61.740	Period specified by the court for up to 6 months	No	\$20.00 reissue fee

DISQUALIFICATIONS	RCW	LENGTH	ODL	REINSTATEMENT REQUIREMENTS
Commercial Driver License: Driving under influence Physical Control Hit and run (occupied) Felony involving vehicle	46.25.090	1 year (3 years if Haz Mat involved) - 1st Incident	No	Commercial knowledge and driving examinations, \$20.00 requalification fee
		Lifetime - 2nd/ subs incident(s)		Cannot requalify for CDL
Felony involving drugs		Lifetime		Cannot requalify for CDL
Railroad Crossing - 1st violation	46.25.125	Not less than 60 days	No	\$20.00 requalification fee
Railroad Crossing - 2nd violation		Not less than 120 days		
Railroad Crossing - 3rd violation		Not less than 1 year		\$20.00 requalification fee; Retest

Class A, B and C Felony Convictions: Felony convictions for which driving privileges will be revoked if a motor vehicle is involved** include but is not limited to the following:		<p>* An occupational driver license (ODL) is not allowed if there is a prior alcohol related conviction on record within 7 years. However, a prior deferred prosecution offense is not considered a conviction when determining if an occupational driver license can be issued. Effective 01-01-99, for DUI and Physical Control, an ODL may be issued for both the conviction and arrest. If applying for an ODL that covers the duration of both the arrest and conviction, two applications need to be completed and a fee of \$50.00 (\$25.00 for each application) paid. All other eligibility requirements for issuance of the ODL must be met. Only one 30 day waiting period (from effective date of suspension for the arrest or date of conviction, whichever comes first) must be served.</p> <p>** Any Class A, B or C Felony Involving a Motor Vehicle conviction is reportable and requires revocation action under RCW 46.20.285. Class A, B or C Felony Involving a Motor Vehicle signed juvenile diversion agreements under Title 9A are not reportable and do not require revocation action. If notice of conviction from the court does not reflect one way or the other that a vehicle was involved, the assumption will be that there was one involved since notice to DOL is not required otherwise for these offenses.</p> <p>*** All minor in possession revocation actions start on the date of conviction/diversion agreement signed date or at the end of the longest running revocation action(s) on record, whichever is furthest in the future. Multiple charges on a single conviction or diversion agreement are treated as separate actions and run consecutively. A revocation for firearms will be considered when determining prior incidents of being a minor in possession of alcohol, drugs or firearms, but not for calculating eligibility date for early release.</p> <p>**** DUI and Physical Control violations received 07-01-94 through 08-31-95 and processed during that time do not require the alcohol/drug requirements for licensing. However, if the conviction was processed 09-01-95 and after, the alcohol/drug requirements for licensing are required.</p>
Assaulting Police Officer w/vehicle **	9A.36.031	
Reckless Endangerment, 1st Degree **	9A.36.045	
Malicious Mischief, 1st Degree **	9A.48.070	
Burglary, 1st Degree **	9A.52.020	
Residential Burglary **	9A.52.025	
Burglary, 2nd Degree **	9A.52.030	
Vehicle Prowl, 1st Degree **	9A.52.095	
Theft, 1st Degree **	9A.56.030	
Theft, 2nd Degree **	9A.56.040	
Taking Motor Vehicle without the owner's permission (driver only) **	9A.56.070	
Poss. Stolen Property, 1st Degree **	9A.56.150	
Poss. Stolen Property, 2nd Degree **	9A.56.160	
Felony Involving a Vehicle **	9A.56.200	
	46.20.285	
Trafficking Stolen Property **	9A.82.050	
Assault, 1st Degree **	9A.36.011	
Assault, 2nd Degree **	9A.36.021	
Kidnapping, 1st Degree **	9A.40.020	
Kidnapping, 2nd Degree **	9A.40.030	
Escape, 1st Degree **	9A.76.110	
Escape, 2nd Degree **	9A.76.120	